

It was alleged to be adulterated in that it consisted in whole and in part of a filthy vegetable substance.

On November 8, 1937, a plea of nolo contendere was entered and the defendant was sentenced to pay a fine of \$50 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28131. Alleged adulteration of canned salmon. U. S. v. Columbia River Packers Association, Inc. Tried to the court. Judgment of not guilty. (F. & D. No. 39474. Sample Nos. 11293-C, 11294-C, 21832-C, 21833-C.)**

On May 17, 1937, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Columbia River Packers Association, Inc., Astoria, Oreg., alleging shipment by the defendant on or about August 18, 1936, from the Territory of Alaska into the State of Oregon of quantities of canned salmon that was alleged to be adulterated in violation of the Food and Drugs Act. The product bore no label.

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On December 15, 1937, the case came on for trial to the court without a jury. On December 20, 1937, the defendant was adjudged not guilty.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28132. Adulteration of canned tuna fish. U. S. v. 360 Cases of Canned Tuna Fish. Default decree of condemnation and destruction. (F. & D. No. 39720. Sample No. 33776-C.)**

This article was canned tuna fish a part of which was decomposed.

On or about June 14, 1937, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 360 cases of canned tuna fish at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about May 10, 1937, by the Van Camp Sea Food Co. (from San Diego, Calif.), and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Van Camps Chicken of the Sea Select Tuna."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On December 18, 1937, no claimant having appeared, judgment of condemnation was entered and destruction of the article was ordered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28133. Adulteration of apples. U. S. v. 117 Baskets and 43 Baskets of Apples. Default decrees of condemnation and destruction. (F. & D. Nos. 40440, 40507. Sample Nos. 58686-C, 62535-C, 62662-C.)**

This product was contaminated with lead.

On September 29 and October 8, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 160 baskets of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 28 and October 7, 1937, from Beverley, N. J., by Harry J. Chant and H. J. Chant, respectively, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On October 18 and November 1, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28134. Adulteration of apples. U. S. v. 41 Baskets and 8 Baskets of Apples. Default decrees of condemnation and destruction. (F. & D. Nos. 40497, 40502. Sample Nos. 62523-C, 62566-C.)**

This product was contaminated with lead.

On October 6 and 7, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 49 baskets of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 5 and 6, 1937, from Moorestown, N. J.,

by E. H. Hoehn, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On November 1, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28135. Adulteration of apples. U. S. v. 74 Baskets of Apples. Default decree of condemnation and destruction.** (F. & D. No. 40506. Sample No. 62567-C.)

This product was contaminated with lead.

On October 6, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 74 baskets of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 5, 1937, from Marlton, N. J., by Charles Day, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On November 1, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28136. Adulteration of apples. U. S. v. 116 Bushels of Apples. Consent decree of condemnation. Product turned over to a charitable agency.** (F. & D. No. 40471. Sample No. 62314-C.)

This product was contaminated with added lead and arsenic.

On September 20, 1937, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 116 bushels of apples at Ottawa, Kans., alleging that the article had been shipped in interstate commerce on or about September 14, 1937, from Bentonville, Ark., by Herbert Bishop, of Ottawa, Kans., consigned to himself, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous ingredient, a compound of arsenic and lead, which might have rendered it injurious to health.

On October 6, 1937, Herbert Bishop, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered the apples turned over to a charitable agency, and that they be peeled before being used.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28137. Adulteration of apples. U. S. v. 487 Bushels of Apples. Default decree of condemnation and destruction.** (F. & D. No. 40465. Sample No. 53507-C.)

This product was contaminated with added lead and arsenic.

On or about September 30, 1937, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 487 bushels of apples at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about September 23, 1937, from Marionville, Mo., by Roy Crumeles, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.

On November 10, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28138. Adulteration of apples. U. S. v. 291 Bushels of Apples. Consent decree of condemnation. Product released under bond for rewashing.** (F. & D. No. 40492. Sample Nos. 48916-C, 48922-C.)

This product was contaminated with added lead and arsenic.

On September 28, 1937, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court